

CLAIM OF: ENTERPRISE RENT-A-CAR  
3064 Sylvan Road  
Hapeville, GA 30354

For damages alleged to have been sustained as a result of a vehicular accident on March 24, 2000 at University Avenue at McDaniel Street.

BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to Enterprise Rent-A-Car the sum of \$1,000.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on March 24, 2000 at University Avenue at McDaniel Street as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/52901/7T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE-LANGFORD  
CITY ATTORNEY

BY: *[Signature]*  
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

ADOPTED BY

AUG 07 2000

COUNCIL

FAVORABLE REPORT  
COM Public Safety

DATE 8/1/2000

CHIEF C. T. MONTGOMERY

*[Signature]*  
JIM D

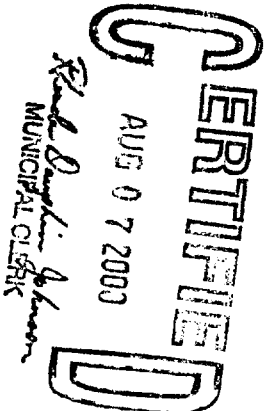
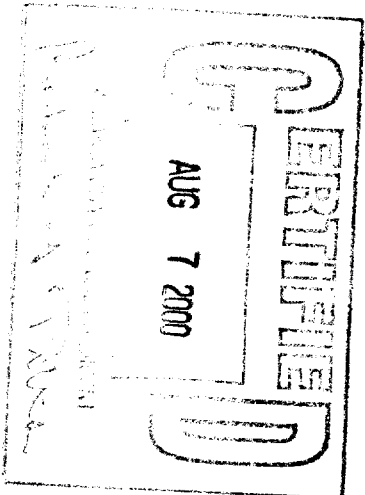
*[Signature]*  
Steve Miller

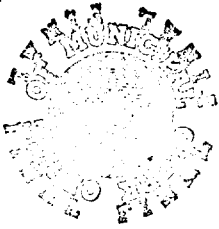
CONSENT AGENDA

APPROVED

AUG 16 2000

WITHOUT SIGNATURE  
BY OPERATION OF LAW





**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**00-R-1181**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Enterprise Rent-A-Car, c/o Tami Sturdevant** in the sum of **\$1000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a vehicular accident on March 24, 2000 at University Avenue at McDaniel Street** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

AUG 07, 2000

AUG 16, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0306

Date: June 14, 2000

Claimant /Victim ENTERPRISE RENT-A-CAR  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 3064 Sylvan Road, Hapeville, GA 30354  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,389.34 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 04-24-00 Method: Written, proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 03-24-00 Place: University Avenue at McDaniel Street, SW  
Department Public Works Division: Street Operations  
Employee involved Arthur B. Clark, Jr. Disciplinary Action: No action taken

NATURE OF CLAIM: Claimant sustained property damage when one of its vehicles was involved in a motor vehicle accident with a City of Atlanta vehicle. The driver of the City vehicle, while following too closely, collided with the claimant's vehicle causing damages in the above amount.


INVESTIGATION:

Statements: City employee X Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written X Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_


BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR DOBBS JORDAN

RECOMMENDATION:

Pay \$ 1,000.00 Adverse X Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 06-15-00  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_



3064 Sylvan Road  
Hapeville, GA 30354  
404-762-9977

*Jordan*  
05/17/00  
*Ch*

04-24-00PCG:13 RCVJ

April 19, 2000

ENTERED - 5-19-00 - SB  
00L0306 - DOBBS JORDAN

City of Atlanta Municipal Clerk--Attn: Law Department  
55 Trinity Ave. SW  
Atlanta, GA 30335-0332

**Our Claim Number: DX0361573**

Insured/Carrier: Arthur Clark

Your Claim Number:

Date of Loss: 3/24/00

Dear City of Atlanta:

We have been notified of an incident/accident your insured had with our vehicle. At this time our investigation indicates that your insured is responsible and therefore we are pursuing you for reimbursement of this loss. Your prompt attention is appreciated.

Below is an itemized list of our losses and attached you will find all the supporting documents.

Itemized Bill #:	Damages	\$1242.37	
CT: 12263	Tow/Storage	\$	
	Admin Fees	\$	
	Loss of use	\$146.97	\$48.99 per day X 3day(s)
	Diminished Value	\$	
	Other	\$	Description: Less carriers payment
	<b>TOTAL DUE</b>	<b>\$1389.34</b>	

Please mail your remittance to the address listed above with reference to our claim number on your draft. Should you have any questions regarding the above, please feel free to contact me at 404-762-9977.

Respectfully,

*Dawn Jessie*

Dawn Jessie

Loss Control Administrator

Cc: Your \$ deductible is now due on the above claim.

Any settlement made regarding the above claim is not to be construed as an admission of liability on the part of Enterprise and any agreement is made solely as an expression of goodwill and is in the interest of good consumer relations.

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0306

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND AND 00/100  
                     DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby  
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever  
discharge said City, its officers and employees, including but not limited to Arthur B. Clark, Jr., from any and all  
claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or  
on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident

which occurred on or about the 24<sup>th</sup> day of March, 2000  
at or near University Avenue at McDaniel Street, SW

It is further understood and agreed that the payment of the above named sum is not to be considered as an  
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the  
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,  
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,  
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment  
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by  
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this  
instrument.

WITNESS my hand and seal this 13 day of July, 2000

Tami Sturdevant (LS)  
**ENTERPRISE RENT-A-CAR**

The above release was read and explained to, and signed by the said Tami Sturdevant,  
Loss Control Manager in our presence on the date above written.

Dan Gessie  
Clark Moss  
WITNESSES

Notary Public, Butts County, Georgia  
My Commission Expires September 6, 2003

00-1181

RCS# 2153  
8/07/00  
4:06 PM

Atlanta City Council

Regular Session

CONSENT 1      Pages 1-15 KP

Adopt

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u> 00-O-1102 00-R-1197 00-R-1106 00-R-1123 00-R-0721
Y Starnes	Y Woolard	Y Martin	B Emmons	
Y Bond	Y Morris	Y Maddox	Y Alexander	
Y Winslow	Y Muller	Y Boazman	NV Pitts	

08/07/00 Council Meeting		
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSESED ON CONSENT AGENDA
1. 00-O-1009 2. 00-O-1010 3. 00-O-1011 4. 00-O-1012 5. 00-O-1079 6. 00-O-0834 7. 00-O-1065 8. 00-O-1004 9. 00-O-1112 10. 00-R-1139 11. 00-R-1140 12. 00-R-1141 13. 00-R-1142 14. 00-R-1144 15. 00-R-1204 16. 00-R-1208 17. 00-R-1209 18. 00-R-1210 19. 00-R-1106 20. 00-R-1146 21. 00-R-1147 22. 00-R-1194 23. 00-R-1203 24. 00-R-1205 25. 00-R-1212 26. 00-R-1213 27. 99-R-1145 28. 99-R-1932 29. 00-R-1108 30. 00-R-1110 31. 00-R-1129 32. 00-R-1130 33. 00-R-1131 34. 00-R-1134 35. 00-R-1206 36. 00-R-1121 37. 00-R-0329 38. 00-R-1136 39. 00-R-1137 40. 00-R-1138	41. 00-R-1175 42. 00-R-1176 43. 00-R-1177 44. 00-R-1178 45. 00-R-1179 46. 00-R-1180 47. 00-R-1181 48. 00-R-1182 49. 00-R-1183 50. 00-R-1184 51. 00-R-1185 52. 00-R-1186 53. 00-R-1187 54. 00-R-1188 55. 00-R-1189 56. 00-R-1190 57. 00-R-1191 58. 00-R-1192 59. 00-R-1193 60. 00-R-1199 61. 00-R-1200 62. 00-R-1201 63. 00-R-1202	64. 00-R-1148 65. 00-R-1149 66. 00-R-1150 67. 00-R-1151 68. 00-R-1152 69. 00-R-1153 70. 00-R-1154 71. 00-R-1155 72. 00-R-1156 73. 00-R-1157 74. 00-R-1158 75. 00-R-1159 76. 00-R-1160 77. 00-R-1161 78. 00-R-1162 79. 00-R-1163 80. 00-R-1164 81. 00-R-1165 82. 00-R-1166 83. 00-R-1167 84. 00-R-1168 85. 00-R-1169 86. 00-R-1170 87. 00-R-1171 88. 00-R-1172 89. 00-R-1173 90. 00-R-1174